

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
vs.	§	Case No. 4:10cr16
	§	(Judge Schell)
TAMMY PERKINS HAWKINS (6)	§	

**REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on November 7, 2013, to determine whether Defendant violated her supervised release.

On September 14, 2011, Defendant was sentenced by the Honorable Richard A. Schell to eight (18) months' custody followed by two (2) years of supervised release for the offense of Conspiracy to Distribute and Possess with Intent to Distribute Hydrocodone. On June 22, 2012, Defendant completed her term of imprisonment and began service of her new supervised term.

On September 16, 2013, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated the mandatory condition that defendant shall not commit another federal, state, or local crime.

The petition alleges that Defendant committed the following acts with regard to the violation: (1) On November 5, 2012, in Arlington, Texas, Defendant took an Iphone without the consent of the owner. Defendant self-surrendered after an arrest warrant was issued. Defendant was charged with Theft under \$1500 in violation of Texas Penal Code § 31.03(e)(4)(D). The charge was enhanced to a State Jail felony based upon two prior convictions for theft.

Prior to the Government putting on its case, Defendant entered a plea of true to the violation.

### **RECOMMENDATION**

The Court recommends that the District Judge revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twenty-one (21) months with no supervised release to follow. It is also recommended that this sentence should be served consecutively to any sentence of imprisonment the Defendant is currently serving. It is also recommended that Defendant be housed in the Bureau of Prisons, Carswell/Fort Worth Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

**SIGNED this 5th day of February, 2014.**

  
AMOS L. MAZZANT  
UNITED STATES MAGISTRATE JUDGE